

GEORGIA DEPARTMENT OF CORRECTIONS



Standard Operating Procedures

Policy Name: State Employee/Free Speech and Public Access Rights

Policy Number: 205.17

Effective Date: 12/23/2021

Page Number: 1 of 3

Authority:
Commissioner

Originating Division:
Facilities Division

Access Listing:
Level I: All Access

I. Introduction and Summary:

The purpose of this policy is to provide a guideline regarding state employees, free speech, and public access rights.

II. Authority:

- A. United States Constitution, First Amendment;
- B. Atlanta Journal and Constitution, et al v. The City of Atlanta Department of Aviation, et al, 6 F. Supp. 2d 1359 (N.D. 1998); Department of Corrections v. Derry, 235 Ga. App. 622 (1998);
- C. O.C.G.A. §42-5-15;
- D. Georgia Department of Corrections (GDC) Standard Operating Procedure (SOP): 208.06 PREA-Sexually Abusive Behavior Prevention and Intervention Program; and
- E. ACA Standard: 5-ACI-1A-24.

III. Definitions:

None.

IV. Statement of Policy and Applicable Procedures:

- A. In order to maintain the safety, security and integrity of any facility the following procedures will be utilized regarding state employees, free speech, and public access rights:
 - 1. Whenever an individual or organization is provided access to off duty employees of a facility, that access will be made available in a space outside the secured fence area but inside the guard lines of the facility as designated by the Warden/Superintendent, upon approval by the respective Regional Director.

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2. The organizational representatives are required to request permission of the Warden/Superintendent at least twenty-four (24) hours before the date of the proposed activity, in writing, and indicate the duration, number of people anticipated and nature of activity. This request must be submitted during the normal business hours of 8:00 a.m. and 4:30 p.m. Monday through Friday, excluding weekends and holidays.
3. If approved by the Regional Director, the Warden/Superintendent will notify the representatives of the organization and provide a date, time, and location for public access to a space in which to conduct their activities. The representatives will also be notified that they will be subject to all applicable rules and regulations of the GDC upon access onto state property.
4. When representatives of the organization arrive at the designated space they will again be informed verbally by the Warden/Superintendent or Deputy Warden that they are subject to all rules and regulations of the GDC while on state property.
5. All representatives of an organization will be required to sign Attachment 1, Visitor's Log Regarding Public Access, as maintained by the designated personnel assigned by the Warden/Superintendent in order for the facility to provide safety, security, and accountability during their activities on state property. Failure to complete the information on the log will result in immediate expulsion from state property and the Warden/Superintendent will notify the respective Regional Director, who in turn will notify the Director of Field Operations.
6. All representatives of an organization will be informed by designated personnel assigned by the Warden/Superintendent that any verbal or physical behavior, including the use of any amplification, video/recording or lighting devices that could possibly create a potential for disturbance will not be allowed on state property. If the above referenced behavior or devices are

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observed the representatives will immediately subject to expulsion from the state property.

7. The Warden/Superintendent may limit the number of individuals or representatives and/or duration of the activity as required to maintain the safety, security, and integrity of the operation of the institution. Additionally, the Warden/Superintendent may terminate the activity at any time to accommodate the security needs of the institution.

V. Attachments:

Attachment 1: Visitor's Log Regarding Public Access Rights

VI. Record Retention of Forms Relevant to this Policy:

Upon completion, Attachment 1 shall be retained in the Warden/Superintendent's office for three (3) years and forwarded to the Regional Director's Office and retained for an additional two (2) years, then destroyed.